GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR & RD Dept. – Allegations of irregularities in execution of works in Palakonda Mandal of Srikakulam District under MGNREGS Scheme - Disciplinary Proceedings initiated against Sri B. Appala Naidu, Former Executive Engineer, PR, Palakonda, Srikakulam (now Retired) – WSD submitted - Inquiry conducted - Charges partially proved – Disagreement factors communicated - - Provisional decision taken to impose penalty – Show cause notice - Imposition of penalty of 10% cut in pension for a period of (2) years besides recovery under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Rt.No. 193 **Dated: 28 -02-2024.**

Read the following:-

1) G.O.Rt.No.159, PR&RD (Vig.I) Deptt., dated:31.01.2013.
2) From B.Appalanaidu, the then EE, now Retired Written Statement of Defence, dt.07.04.2013.
3) G.O.Rt.No.132, PR&RD (Vig.I) Department, Dt:09.02.2018.
4) G.O.Rt.No.34, PR&RD(Vig.I)Department, Dt:17.01.2020.
5) From the ENC, PR, Letter No.Vig.I(1)/3419/2012, Dt:08.11.2020.
6) From the Chief Engineer, PR-II and Inquiry Officer, Letter No.CE(PR)/3419/Enquiry Report/2015, dated:29.04.2021.
7) Govt.Memo.No.12515/Vig.I/2012-8, Dt:01.11.2021.
8) From the ENC, PR, Letter No.Vig.I(1)/3419/2012, Dt:17.03.2022 together with dated acknowledgment dt:22.02.2022.
9) Govt.Memo.No.12515/Vig.I/2012-22, Dt:07.03.2023.
10) From SE, PR, Srikakulam Letter Rc.No.A2/3904/2012 Dt:23.01.2024 together with dated acknowledgment dt:10.01.2024.

<<<>>>

ORDER:

Whereas, in the reference 1st read above, based on the report submitted by Engineer-in-Chief, PR on the allegation of certain irregularities in execution of works in Palakonda of Srikakulam District under MGNREGS, Government have initiated disciplinary action against Sri B. Appala Naidu, the then Executive Engineer, PR, Srikakulam District (now Retired) among others, duly framing following articles of charge under Rule 20 of A.P.C.S. (CC&A) Rules, 1991 with a direction to submit his written statement of defence:

Charge-I: That the said Sri B. Appala Naidu, EE, PRI Paderu, Visakhapatnam, while working as EE, PR, Palakonda has failed to follow the Government norms in execution, supervision and payment of the work Gravelling and Metaling the R/f PH Road to Venkampeta Colony of Palakonda sanctioned at an Estimate Cost of Rs. 10.00 lakhs under MGNREGS funds during the financial year 2009-2010.
Charge-II: That the said Sri B. Appala Naidu, Executive Engineer, PRI Paderu, Visakhapatnam, while working as Executive Engineer, PR, Palakonda has failed to follow the Government norms in execution, supervision and payment of the work Gravelling and Metalling the Road from Navagam, Jumparakota road to Dolamadavalasa sanctioned at an Estimate Cost of Rs. 11.40 lakhs

under MGNREGS funds during the financial year 2009-2010.
Charge - III: That the said Sri B. Appala Naidu, Executive Engineer, PRI Paderu, Visakhapatnam, while working as Executive Engineer, PR, Palakonda has failed to follow the Government norms in execution, supervision and payment of the work Gravelling and Metaling the road from R&B road to Savariguda via Biyyalavalasa at an Estimate cost of Rs. 25.00 lakhs under MGNREGS funds during the financial year 2009-2010.
Charge -IV: That the said Sri B. Appala Naidu, Executive Engineer, PRI Paderu, Visakhapatnam, while working as Executive Engineer, PR, Palakonda has failed to follow the Government norms in execution, supervision and payment of the work Gravelling and Metalling the Road from Gudiwada to Chinnakotipalli, S.T. village sanctioned at an estimate cost of Rs. 9.00 lakhs under MGNREGS funds during the financial year 2009-2010.
Charge-V: That the said Sri B. Appala Naidu, Executive Engineer, PRI Paderu, Visakhapatnam, while working as Executive Engineer, PR, Palakonda has failed to follow the Government norms in execution, supervision and payment of the work Gravelling and Metalling the Road from PH road to Neelamma Colony of Palakonda sanctioned at an estimate cost of Rs. 10.00 lakhs under MGNREGS funds during the financial year 2009-2010.
Charge-VI: That the said Sri B. Appala Naidu, EE, PRI Paderu, Visakhapatnam, while working as Executive Engineer, PR, Palakonda has failed to follow the Government norms in execution, supervision and payment of the work Gravelling and Metalling the Road from PH road to M.K. Rajapuram sanctioned at an estimate cost of Rs. 7.00 lakhs under MGNREGS funds during the financial year 2009-2010.

2. And whereas in the reference 2nd read above, the Charged Officer Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District has submitted his written statement of defence on the charges framed against him. After examining the written statement of defence of the Charged Officer along with other Charged Officers, Government have taken a decision to conduct regular enquiry into the matter. Accordingly, in the references 3rd & 4th read above, Government have entrusted the case to Sri K. Ravindra, Chief Engineer, PR as the Inquiry Authority. Subsequently, in the reference 4th read above appointed the Chief Engineer, PR-II & MGNREGS (by designation) as Inquiry Authority to conduct enquiry into the above charge framed against the charged officer, among others, since Sri K. Ravindra, CE (PR) had retired from service on 30.06.2019.

3. And whereas, in the reference 5th read above, the ENC,PR has furnished report duly stating that earlier the Q.C. wing proposed for recovery and notices were issued to the Sarpanches for remittance of QC recovery but the Sarpanches had not responded to the notices issued by the Superintending Engineer, PR, Srikakulam since there was no agreement/MOU between the Department and Work Executing Members with regard to Specifications/ Quantity / Rates for the works executed. Therefore, the total recoveries arrived "as per actual field condition as Rs.12,94,883/-, out of which an amount of Rs.7,13,653/- was adjusted towards Q.C. recoveries. With regard to balance amount of Rs.6,67,473/-, it has been decided to recover the same initially from the field officers in the ratio of 5:3:2 from the Section Officer (AE/AEE): Deputy Executive Engineer respectively. Accordingly, an amount of Rs.77,362/- was apportioned and to be recovered from the charged officer Sri B. Appala Naidu, E.E (Retired) towards his share of loss in the matter.

(Continued on Page.3)

4. And whereas in the reference 6th read above, the Inquiring Authority has submitted his Inquiry Report and among others, the Inquiry Authority has held that the charges framed against the charged officer Sri B. Appala Naidu, EE, PR (Retd) is "partially proved. Government have examined the matter and observed that the charged officer was involved in six (6) road works and the deficiencies as per the Inquiry Report. In the light of clause (b) of Para-2 of instructions issued in Govt.Memo.No.15320/Vig.I/2005-1, Dt:12.05.2006 of PR&RD (Estt-I) Department, Government have disagreed with the findings of IO that charges are partially proved and treat the same as **held proved**. A copy of the Inquiry Report together with disagreement factors was communicated to the charged officer for his representation if any on the disagreement factors in the reference 7th read above.

5. And whereas in the reference 8th read above, the ENC, PR among others, has furnished acknowledgment copy according to which the copy of the Govt. Memo in the reference 7th read above was got served on the Charged Officer. But the Charged Officer has not submitted his representation in prescribed time and decided to take further action in the matter. It is observed that the Charged Officer Sri B. Appala Naidu, the then Executive Engineer (PR), now retired being the supervisory authority is responsible in execution of works as per norms and standards. Hence, he is held responsible for substandard execution of works causing loss to Govt. Hence, Government after examination of the matter, have taken a provisional decision to impose a penalty of 10% cut in pension for a period of (2) years under Rule-9 of A.P. Revised Pension Rules, 1980 besides recovery of Rs.77,362/- towards his share of loss, with interest at Bank Rate + 2% as per Article 300 of A.P. Financial Code (Volume-I) from the date of Inquiry Report dt:29.04.2021. Accordingly, in the reference 9th read above, show cause notice was issued under Rule 9 of A.P. Revised Pension Rules, 1980 for submitting his explanation, if any, on the proposed penalty.

5. And whereas in the reference 10th read above, the Superintending Engineer, PR, Srikakulam has furnished acknowledgment copy according to which the copy of the Govt. Memo in the reference 9th read above was got served on the Charged Officer on 10.01.2024. But the Charged Officer has not submitted his representation in prescribed time and it is therefore decided to proceed further with the above provisional decision.

7. And whereas, Government, after careful examination of the matter, hereby impose a penalty of 10% cut in pension for a period of (2) years under Rule-9 of A.P. Revised Pension Rules, 1980 besides recovery of Rs.77,362/- towards his share of loss, with interest at Bank Rate + 2% as per Article 300 of A.P. Financial Code (Volume-I) from the date of Inquiry Report dt:29.04.2021, against the Charged Officer Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District (now Retired) since the charges were held proved.

8. The Engineering-in-Chief, Panchayath Raj, A.P., Vijayawada shall take necessary further action accordingly.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B. Appala Naidu, the then Executive Engineer (PR), Srikakulam District (now Retired) **through** the Engineering-in-Chief, Panchayat Raj, A.P.,Vijayawada.
The Engineering-in-Chief, Panchayat Raj, A.P., Vijayawada (with a request to serve the order on the individual and furnish the served copy and also pursue with concerned for efecting the penalty imposed)
Copy to:
The Accountant General, Andhra Pradesh, Vijayawada.
The Superintending Engineer, PR, Srikakulam District.
SC/SF.

//FORWARDED::BY:ORDER//

SECTION OFFICER